

A PILOT'S RIGHTS UNDER PRIA
Pilot Records Improvement Act (PRIA) of 1996, as amended
Title 49 United States Code (U.S.C.) § 44703 (h) (i) (j)

Advisory Circular 120-68C (8) (j) (k) and 49 U.S.C. § 44703 (h) (9) and (10)

1. A **pilot's rights**, under PRIA:

All professional pilots, being considered for employment by an air carrier, should be afforded certain uniform rights concerning the request, transfer, receipt, evaluation, and maintenance of their records as referred to in 49 U.S.C. § 44703 (h)(1)(B)(i) or (ii) pertaining to the employment of the pilot.

Each pilot **should** be given the right to:

- (a) expect fair, timely, and equal treatment from the FAA, past, present, and future employers, and the National Driver Registry (NDR), concerning the request, transfer, receipt, evaluation, and maintenance of the appropriate records for the purpose of employment at an air carrier.
- (b) have specific guidance on exactly what records should and should not be included in pilot files, and which records will be included in the request, transfer, and receipt process.
- (c) have an established procedure, by the air carrier, to arbitrate a dispute with a current or former employee, concerning his/her records, that the pilot considers to be wrong, incomplete, unjust, or malicious.

Each pilot **shall** be given the right to:

- (a) be furnished with a notification that a request will be made for their PRIA related records, and have an opportunity to request a copy of those records if he/she so desires. This is accomplished when the applicant completes, signs, and receives a copy of FAA Form 8060-10A for FAA records, and when the applicant completes and signs FAA Form 8060-11A for Air Carrier records, before being forwarded to the previous employer. (49 U.S.C. § 44703(h)(6))
- (b) review, correct, or dispute his/her PRIA related records. The air carrier shall make available a copy of the requested records within a reasonable period of time, but not later than 30 days after the date of the written request from the pilot. (49 U.S.C. § 44703(h)(10))
- (c) submit a written comment to correct any inaccuracies that the pilot believes to be incorrect, such as an omitted or erroneous entry, or comments believed to be incomplete, unjust, or malicious. (49 U.S.C. § 44703(h)(9))

As a matter of the most desirable procedure, each pilot contemplating a move from one air carrier to another, should, if possible, review, evaluate, and make comment on, all of his/her PRIA related records **before** action is taken to apply at

A PILOT'S RIGHTS UNDER PRIA
Pilot Records Improvement Act (PRIA) of 1996, as amended
Title 49 United States Code (U.S.C.) § 44703 (h) (i) (j)

another air carrier. Only in this manner can a pilot ensure that their records are in order and all problem areas have been addressed in advance.

2. A pilot's **right to privacy**, under PRIA:

At the beginning of each PRIA request process, all pilots must first sign a consent for the release of all of their PRIA related records. This includes the release of the following specific groups of records: (AC 120-68C(8)(1) and 49 U.S.C. § 44703(h)(11))

- (a) FAA records.
- (b) Previous air carrier employment records.
- (c) Records from the National Driver Register (NDR).
- (d) DOT Drug and Alcohol Testing Records.

Consent for the release of records is accomplished when the applicant completes and signs FAA Forms 8060-10 (FAA records request) and 8060-11 (Air Carrier and other records request).

PRIA then requires that the privacy of the individual, who is the subject of the records request, and the confidentiality of his/her records, be protected in the following manner:

- (a) An air carrier receiving the records of an individual may use such records only to assess the qualifications of that individual in deciding whether or not to extend an employment offer as a pilot, to that individual.
- (b) Only the personnel directly involved in the hiring process of the air carrier may view and evaluate the records.
- (c) The air carrier in possession of the PRIA related records, must ensure that other individuals not involved in the hiring process are never permitted to view the records.
- (d) Once the air carrier has started to accumulate PRIA related records, those records should be maintained in a separate filing system from the company's active personnel/pilot records, in order to better assist both the air carrier and the FAA in verifying compliance with 49 U.S.C. § 44703(h)(4).

Comments or questions concerning this document may be directed to AFS-620, John Ryan, PRIA Program Manager, at john.a.ryan@faa.gov or to 405-954-6367. Voicemail is available. Due to the high volume of phone traffic, please allow a short period of time for us to respond to your comment(s).